



BRIEF

MOURANI - CRIMINOLOGIE



ABOUT US

Mourani-Criminologie is a criminology firm based in Quebec. We work with different legal, police, social and health partners to provide our clients with comprehensive and personalized support.

We offer several services, including research, development of prevention programs and tools, forensic expertise, consulting and support.

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RECOMMENDATIONS

Further to the appearance by Maria Mourani, PhD, criminologist, sociologist and president of Mourani-Criminologie, at the Standing Committee on the Status of Women on April 17, 2023, we submit the following recommendations:

Recommendation 1

Investigations targeting the demand for purchase of sexual services are extremely complex and require extensive police resources to support evidence. Police are still unable to systematically arrest clients at prostitution sites until they obtain evidence of remuneration. However, being found at a prostitution site should *de facto* enable law enforcement to lay charges of purchasing sexual services. The onus would then be on the client to prove innocence.

- Strengthen the *Protection of Communities and Exploited Persons Act* by criminalizing, through reverse onus, the act of being found at a police-identified prostitution site. This will facilitate the work of police during investigations or “client” actions. In other words, a police officer who sees an individual, other than the person being exploited, at a prostitution site could lay charges of purchasing sexual services.

Recommendation 2

Many victims of commercial sexual exploitation enter Canada through closed work permits. This type of permit binds the victim to an employer who can then exploit them. The victims do not dare come forward out of fear of having to leave Canada. They also fear reprisals against themselves and their families still living in the country of origin.

- Abolish employer-specific work permits.

Recommendation 3

Human trafficking is based on supply and demand. Consequently, pimps and traffickers constantly weigh the cost and benefits of being involved in the prostitution and pornography market. In addition to the income generated by victims, one important variable is the risk of being caught and sentenced. The greater the chance of a heavy sentence, the less the benefit justifies the cost. Making sexual exploitation less profitable remains a winning strategy, which involves making the sentence fit the crime.

- Implement by order in council the consecutive sentencing provision of Bill C-452 that received Royal Assent on June 18, 2015, as is currently the case for sexual offences against children (see section 718.7 of the *Criminal Code*).



Recommendation 4

Social media and the Internet make it easier for those engaged in commercial sexual exploitation to recruit and advertise. Pornography is also an important issue. According to the Canadian Centre for Child Protection (C3P), reports, images and videos of child sexual abuse are not decreasing. In 2016, Cybertip.ca received over 152,000 reports and 43,762 images and videos of child sexual abuse over an eight-year period. Of these images and videos, 78.29% showed children under 12, most of them appearing to be under 8. In the majority of cases, the assaults were sexually explicit; the perpetrators were adult men and the victims were girls (C3P, 2016). Thus, technology remains the cornerstone of crime. Despite the police teams dedicated to cybercrime and the few prevention programs, the battle remains uneven, given the limited resources available, not to mention the lack of industry involvement and initiative to prevent and thwart criminal uses of their products. A study conducted by C3P (2021) with Project Arachnid, its platform for detecting images and videos of child abuse, found that service providers are slow to remove images of child pornography, and instead tend to put them back online.

- Legislate on sexual exploitation and online pornography by forcing Internet service providers to take responsibility, specifically by systematically removing and banning all content that involves child sexual abuse, violence and exploitation, etc.
- Invest in prevention and response on social media and the Internet.
- Fund private companies to prevent and respond to online abuse.

Recommendation 5

Victims of sexual exploitation are in dire need. There is a continued lack of resources for financial, housing, psychological or psychiatric support, health or other needs. While Quebec has amended its *Act to assist persons who are victims of criminal offences and to facilitate their recovery* to include victims of sexual exploitation, housing, financial assistance and psychological services remain a priority. We encourage the Committee members to read the following study attached to this brief: Mourani (2019). Housing: Needs and Preferences of Women and Girls of the Sex Industry.

- Provide federal financial support to victims of sexual exploitation.
- Invest in emergency housing, but also in short- and long-term subsidized housing. With regard to long-term housing, victims of sexual exploitation have expressed their preference for the Housing First intervention model (Mourani, 2019).



Sources

Canadian Centre for Child Protection (C3P) (2021). Project Arachnid: Online availability of child sexual abuse material. An analysis of CSAM and harmful-abusive content linked to certain electronic service providers. Retrieved from https://protectchildren.ca/pdfs/C3P_ProjectArachnidReport_en.pdf

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